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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,792	09/29/2003	Roger Ecoffet	2199/TR/US	9904
23373	7590	12/02/2004	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			HINZE, LEO T	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/671,792	<b>Applicant(s)</b> ECOFFET ET AL.	
	<b>Examiner</b> Leo T. Hinze	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20030929</u> . | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vollert, US 5,184,334 (Vollert) in view of Ecoffet, WO 01/40881 (Ecoffet) and Scalo et al., US 3,061,869 (Scalo).

For references to Ecoffet, see US equivalent case 6,719,455.

- a. Regarding claim 1:

Vollert teaches a crown (46, Fig. 2) for a timepiece, including a head (10, Fig. 2), a central portion (23, Fig. 2) and a lateral skirt (12, Fig. 2), said head including an end face.

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Vollert does not teach an end face bearing a design, wherein the end face includes a substrate onto one face of which said design is applied, wherein said substrate is mounted so as to move in rotation in said head and wherein the crown further includes braking means arranged for holding said substrate in different angular orientations with respect to the head about the rotational axis of the crown.

Ecoffet teaches that it is desirable to have logos or designs on the end face of the crown, especially in luxury and high quality watches, and that it is desirable to have the logo always oriented properly (col. 1, lines 13-30).

Scalo teaches a control knob with an insert for the end face (36, Fig. 1), the insert including an o-ring (38, Fig. 3) for securing the insert into the end face of the control knob.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Vollert to include a logo or design on the end face of the crown, because Ecoffet teaches that logos are desirable on watch crowns.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Vollert to have an independently adjustable insert on the end cap, because Scalo teaches such an end cap, and one having ordinary skill in the art would recognize that this end cap would allow the user to easily adjust the position of the logo, and further to easily change the logo to a different design, if so desired.

b. Regarding claim 2, the combination of Vollert, Ecoffet and Scalo teach all that is claimed as discussed in the rejection of claim 1 above, including wherein said braking means act via friction (Scalo, Fig. 3).

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- c. Regarding claim 3, the combination of Vollert, Ecoffet and Scalo teach all that is claimed as discussed in the rejection of claim 2 above, including wherein said braking means comprises an elastic annular element (Scalo, 38, Fig. 3, col. 2, lines 26-28).
- d. Regarding claim 4, the combination of Vollert, Ecoffet and Scalo teach all that is claimed as discussed in the rejection of claim 3 above, including wherein said annular element is elastic in a direction parallel to the rotational axis of the crown (Scalo, note orientation of o-ring in Fig. 3).
- e. Regarding claim 5, the combination of Vollert, Ecoffet and Scalo teach all that is claimed as discussed in the rejection of claim 1 above, including wherein said braking means are formed by an annular joint made of a compressible material (Scalo, 38, Fig. 3, col. 2, lines 26-28).
- f. Regarding claim 6, the combination of Vollert, Ecoffet and Scalo teach all that is claimed as discussed in the rejection of claim 1 above, including wherein the central portion is added onto the head, wherein said central portion includes a tube fitted with a disc at one of its ends (Vollert, 46, Fig. 2), wherein said substrate includes an annular edge and wherein said substrate is gripped axially via its edge between the disc and the head (Scalo, Fig. 3).
- g. Regarding claim 7, the combination of Vollert, Ecoffet and Scalo teach all that is claimed as discussed in the rejection of claim 6 above, including wherein said braking means are arranged between the disc and the substrate (Vollert, Fig. 2 and Scalo, Fig. 3).
- h. Regarding claim 8, the combination of Vollert, Ecoffet and Scalo teach all that is claimed as discussed in the rejection of claim 1 above, including wherein the crown is of the screw-on type (Vollert; screw threads in 22, Fig. 2).

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***Conclusion***

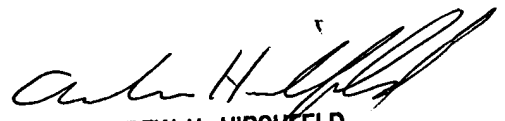
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is (571) 272-2167. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leo T. Hinze  
Patent Examiner  
AU 2854  
26 November 2004

  
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